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To: Microsoft ATR
Date: 11/17/01 10:19am
Subject: Department of Justice Microsoft Settlement

November 17, 2001
Department of Justice
Washington, DC
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This is the second time that I've ever written a government official/agency. The first time was last week when I wrote the West Virginia Attorney General to thank him for standing up for the rights of West Virginians by pursuing the anti-monopoly case against Microsoft. That letter was necessary because, you, my representatives at the Federal level, have decided that my rights as a user of non-Microsoft software are without merit.

As stated in my email to the Honorable Darrell V. McGraw, Jr., I've used Microsoft products for many years. Like all modern PC users, each of my computers were purchased with Microsoft operating systems (MS-DOS or various versions of Windows) preinstalled by the OEM (original equipment manufacturer). Except for a brief period when the IBM OS/2 operating system was available to consumers, purchasing a Wintel (Windows/Intel architecture) PC meant purchasing a Windows license.

As Judge Jackson correctly pointed out, consumers are given no choice in the matter. As I've come to realize, it is exceedingly difficult to purchase a new PC without a Windows license. It is a statement of fact that, in the vast majority of computer users' minds, Windows *IS* the computer. It is also true that the average consumer has no more choice in operating systems than they have a choice of air to breathe. Despite the fact that, unlike air, alternate and arguably superior PC operating systems have been available for some time.

Though I consider myself an advanced user now, that was not always the case. When I purchased my first PC in June 1994, I did not know how to operate it. My experience at that time was limited to a bit of MS-DOS and the mainframe programs my employer ran at work. I'd never used a computer with a GUI (graphical user interface) and had never used a mouse.

Though the foundation of Microsoft's monopoly was already in place, the playing field was slightly more level in 1994. If you lived in a major city, for a brief period of time, you could still walk into a computer store and choose both your hardware and your operating system. Stores

that carried them were exceedingly rare but IBM was still preinstalling its OS/2 Warp operating system on its PCs in 1994. Apple's Macintosh OS was, of course, also readily available. I'd researched both these and Microsoft Windows 3.11 before making my purchase.

Though I did not understand everything I read, I knew the computer press had very definite opinions about the relative merits of each of operating system. In a nutshell, the Mac was considered the easiest to use. OS/2 Warp had superior multi-tasking and memory management. Windows 3.11 was supposed to be an improvement over version 3.1 but wasn't considered in the same league as the other two OSes technologically.

None the less, I purchased a Packard-Bell PC with Windows 3.11 and clearly remember my reasons for doing so:

- * I had only so much money to spend and Macs, then as now, were much more expensive than PCs. Though I preferred the Mac, I could not afford one.

- * Though I could read all about it in computer magazines, I could not find an OS/2 Warp display model in the Parkersburg, WV area.

Though it had problems, I used Windows exclusively for many years. I accepted computer crashes and frequent reboots without question because they happened to everyone. I thought they were normal. Like millions of others, I upgraded to Windows95 when it became available and expected things would get better. The upgrade cost several hundred dollars because it also meant I had to invest in a larger hard drive, more RAM, new diagnostic utilities and anti-virus software, and at-home tech support since I wasn't yet capable of upgrading hardware. The instability continued.

When Windows98 was released I upgraded again on the promise that everything had really been fixed this time. When, several hundred dollars later, things were not better, I began to look for alternatives.

OS/2 Warp was long gone. Macs were as expensive as ever. I'd heard about an alternate operating system called Linux and learned that it was possible to install both it and Windows on the same computer. Over time, I learned how to obtain and install Linux, running it at first on an old 486 PC we'd acquired. RedHat 4.3, was crude and rough compared to Windows but it never crashed and, unlike Windows, ran well on the older computer.

When I learned that I could buy Linux CDs for \$2.00 from web establishments like cheapbytes.com, I knew Linux was a way to free

myself of constant, expensive upgrades. The transition was not easy. I've spent countless hours learning how to install, configure and support a Linux computer. I relied heavily on books and on the Linux on-line community. Few computer users would go to such efforts. Judge Jackson rightly outlined what he called Barriers to Entry. I understood that concept immediately.

Over time, I learned to love Linux. We run both it and Microsoft Windows in our home. Many programs are not available in Linux versions and some of our hardware works only with Windows. I use both OSes interchangeably and move from one to the other with ease.

We no longer use Microsoft Office software, preferring the freely available, multi-platform StarOffice suite instead. Our StarOffice Linux documents can be opened and read in our StarOffice Windows programs with ease and visa versa. And, happily, the Internet, for the most part, is still a realm where operating system or hardware platform does not matter.

I'd like to think that the alternate tools we've come to rely upon will always be available but I fear this will always be the case. Today, Microsoft controls over 90% of the PC market and has tremendous influence on the PC industry. Its might can dictate not just how technology will be deployed but which technology will be deployed. It regularly uses its monopoly powers to unfairly move the PC industry in directions that benefit it alone. That fact has been determined in court and is not in dispute.

It has lately been extending that influence to the Internet, corrupting long standing open protocols by weaving its own proprietary code into the framework. One of the ways it does this is by promoting its Internet Explorer browser. Shipped on each and every OEM PC since the release of Windows98, it is the most used web browser in the world.

The Internet, which was designed to be open to everyone regardless of computing platform, is turning into another Microsoft property. It's already common to find web pages that do not display properly in non-Microsoft browsers. Microsoft's "Windows Update" program, an integral part of the Windows OS, works only with Internet Explorer. And Microsoft's Microsoft Network's web pages are deliberately designed to deny access to browsers other than Internet Explorer. Users that prefer to use Opera browsers (<http://www.opera.com>), for instance, are deliberately denied access. This is crucial since Opera has been selected as the browser of choice by a consortium of hand-held computer devices - another market Microsoft is trying to control.

Microsoft has demonstrated time and again that it is incapable of acting in the public's best interest. The Department of Justice was entrusted by the citizens of the United States to look out for our

interests. Its settlement with Microsoft is an abuse of our trust.

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Best Regards,
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Find the one for you at Yahoo! Personals
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